

REMARKS

Claims 1 to 48 were pending in the Application at the time of examination. The Examiner objected to Claims 8, 13, 14, 24, 29, 30, 40, 45 and 46 for informalities. The Examiner rejected Claims 1, 2, 4, 6, 7, 8, 9, 11, 12, 13, 14, 17, 18, 20, 22, 23, 24, 25, 27, 28, 29, and 30 under 35 U.S.C. 102(b) as anticipated by the Jonsson et al. reference (US 5,093,833). The Examiner rejected Claims 3, 5, 10, 15, 16, 19, 21, 26, 31 and 32 under 35 U.S.C. 103(a) as obvious over the Jonsson et al. reference (US 5,093,833) in view of the Waites reference (US 6,788,769). The Examiner rejected Claims 33, 34, 36, 38, 39, 40, 41, 43, 45 and 46 under 35 U.S.C. 103(a) as obvious over the Jonsson et al. reference (US 5,093,833) in view of the Harter et al reference. The Examiner rejected Claims 35, 37, 42, 47 and 48 under 35 U.S.C. 103(a) as obvious over the Jonsson et al. reference (US 5,093,833) in view of the Harter et al reference and further in view of the Waites reference (US 6,788,769).

Applicants have amended Claims 8, 13, 14, 24, 29, 30, 40, 45, 46 and 47. Consequently, Claims 1 to 48 remain in the Application.

OBJECTION TO CLAIMS 8, 13, 14, 24, 29, 30, 40, 45 AND 46

The Examiner objected to Claims 8, 13, 14, 24, 29, 30, 40, 45 and 46 for informalities.

As shown above, Applicants have amended Claims 8, 13, 14, 24, 29, 30, 40, 45 and 46 to correct informalities. In light of the amendments to Claims 8, 13, 14, 24, 29, 30, 40, 45, 46 and 47, Applicants respectfully request the Examiner withdraw the objection to Claims 8, 13, 14, 24, 29, 30, 40, 45 and 46.

REJECTION OF CLAIMS 1, 2, 4, 6, 7, 8, 9, 11, 12, 13, 14,
17, 18, 20, 22, 23, 24, 25, 27, 28, 29, AND 30 UNDER 35 U.S.C.
102(B)

The Examiner rejected Claims 1, 2, 4, 6, 7, 8, 9, 11, 12, 13, 14, 17, 18, 20, 22, 23, 24, 25, 27, 28, 29, and 30 under 35 U.S.C. 102(b) as anticipated by the Jonsson et al. reference (US 5,093,833).

The Examiner stated, in part, with emphasis added:

Regarding claims 1 and 17, Jonsson discloses a method for device location sensitive data routing (and a device location sensitive data router) comprising:

detecting (and a detector) a signal at a location **wherein said signal emanates from a portable, electronic device (i.e., reads on user's phone)** wherein said signal contains a user identifier (i.e., reads on user's personal telephone number)...

Applicant respectfully traverses the Examiners statement to the effect that Jonsson discloses, teaches or suggests "**said signal emanates from a portable, electronic device**". Indeed, in direct contrast to the Examiner's statement, Jonsson's abstract reads as follows, with emphasis added:

A mobile telephone is used to control the routing of an incoming or outgoing call in a mobile communications network. **A number of registration devices having low energy transmitters are strategically located throughout the coverage area of the mobile communications network.** Each registration

device is associated with a number of nearby fixed telephones. **As the mobile terminal enters the coverage area of a registration device, the mobile telephone receives a registration signal from the registration device.** At the onset of a call, the mobile terminal displays a list of the fixed telephones to a user. The user inputs a preference to the mobile terminal to receive or make the incoming or outgoing call via one of the nearby fixed telephones or the mobile terminal. The mobile terminal transmits the preference to a service node, which sets up and appropriately routes the call. The mobile terminal thus remotely controls the routing of the incoming or outgoing call.

In addition column 6, lines 63 to 65 of the Jonsson reference reads as follows, with emphasis added:

In operation, **when mobile telephone 222 moves within the relatively small coverage area of registration device 226, the registration device's identity code is transferred by a low energy or infrared device to service control module 224.** During the call setup process for a mobile terminating call, mobile telephone 222 transfers the identity code of at least one registration device 226 over the air interface to mobile telephone network 210. The identity code is then transferred through the PSTN and PBX network to service node 208.

As shown above Jonsson discloses, teaches and suggests that the registration "signal" **emanates from the registration device** and is **received by the portable, electronic device**. Consequently, Jonsson not only fails to disclose that "said signal emanates from a portable, electronic device" as the Examiner has suggested, but Jonsson actually teaches away from this configuration. According to Jonsson, the registration devices transmit a signal to any mobile phone entering within

range to receive the signal. This is in contrast to Applicant's invention where the signal originates (emanates) from the portable electronic device.

In light of the discussion above, Applicants respectfully request the Examiner withdraw the rejection of Claims 1 and 17 under 35 U.S.C. 102(b).

Claims 2 to 16 depend, directly or indirectly on Claim 1. Consequently, Claims 2 to 16 include all of the features and limitations of Claim 1. Therefore, in light of the discussion above, Applicants respectfully request the Examiner withdraw the rejection of Claims 1, 2, 4, 6, 7, 8, 9, 11, 12, 13 and 14.

Claims 18 to 32 depend, directly or indirectly on Claim 17. Consequently, Claims 18 to 32 include all of the features and limitations of Claim 17. Therefore, in light of the discussion above, Applicants respectfully request the Examiner withdraw the rejection of Claims 18, 20, 22, 23, 24, 25, 27, 28, 29, and 30.

**REJECTION OF CLAIMS 3, 5, 10, 15, 16, 19, 21, 26, 31 AND
32 UNDER 35 103(A)**

The Examiner rejected Claims 3, 5, 10, 15, 16, 19, 21, 26, 31 and 32 under 35 U.S.C. 103(a) as obvious over the Jonsson et al. reference (US 5,093,833) in view of the Waites reference (US 6,788,769).

As discussed above, Jonsson discloses, teaches and suggests that the registration "signal" **emanates from the registration device** and is **received by the portable, electronic device**. Consequently, Jonsson not only fails to disclose that "said signal emanates from a portable, electronic device" as the Examiner has suggested, but Jonsson actually teaches away from this configuration. According to Jonsson, the registration

devices transmit a signal to any mobile phone entering within range to receive the signal.

The addition of the Waites reference does nothing to cure the basic deficiency of the Jonsson reference discussed above.

Consequently, Applicants respectfully submit that neither the Jonsson reference, the Waites reference, or any combination of the Jonsson reference and the Waites reference discloses, teaches, or suggests "**said signal emanates from a portable, electronic device**" as the Examiner has stated.

Claims 2 to 16 depend, directly or indirectly on Claim 1. Consequently, Claims 2 to 16 include all of the features and limitations of Claim 1. Therefore, in light of the discussion above, Applicants respectfully request the Examiner withdraw the rejection of Claims 3, 5, 10, 15, and 16.

Claims 18 to 32 depend, directly or indirectly on Claim 17. Consequently, Claims 18 to 32 include all of the features and limitations of Claim 17. Therefore, in light of the discussion above, Applicants respectfully request the Examiner withdraw the rejection of Claims 19, 21, 26, 31 and 32.

**REJECTION OF CLAIMS 33, 34, 36, 38, 39, 40, 41, 43, 45 AND
46 UNDER 35 U.S.C. 103(A)**

The Examiner rejected Claims 33, 34, 36, 38, 39, 40, 41, 43, 45 and 46 under 35 U.S.C. 103(a) as obvious over the Jonsson et al. reference (US 5,093,833) in view of the Harter et al reference.

As discussed above Jonsson discloses, teaches and suggests that the registration "signal" **emanates from the registration device** and is merely **received by the portable, electronic device**. Consequently, Jonsson not only fails to disclose that "said signal emanates from a portable, electronic device" as

the Examiner has suggested, but Jonsson actually teaches away from this configuration. According to Jonsson, the registration devices transmit a signal to any mobile phone entering within range to receive the signal.

The addition of the Harter et al reference does nothing to cure the basic deficiency of the Jonsson reference discussed above. Consequently, Applicants respectfully submit that neither the Jonsson reference, the Harter et al reference, or any combination of the Jonsson reference and the Harter et al reference, discloses, teaches, or suggests "**said signal emanates from a portable, electronic device**" as the Examiner has stated.

In light of the discussion above, Applicants respectfully request the Examiner withdraw the rejection of Claim 33 under 35 U.S.C. 103(a).

Claims 34 to 48 depend, directly or indirectly on Claim 33. Consequently, Claims 34 to 48 include all of the features and limitations of Claim 33. Therefore, in light of the discussion above, Applicants respectfully request the Examiner withdraw the rejection of Claims 34, 36, 38, 39, 40, 41, 43, 45 and 46.

REJECTION OF CLAIMS 35, 37, 42, 47 AND 48 UNDER 35 U.S.C.
103 (A)

The Examiner rejected Claims 35, 37, 42, 47 and 48 under 35 U.S.C. 103(a) as obvious over the Jonsson et al. reference (US 5,093,833) in view of the Harter et al reference and further in view of the Waites reference (US 6,788,769).

As discussed above Jonsson discloses, teaches and suggests that the registration "signal" **emanates from the registration device** and is merely **received by the portable, electronic**

device. Consequently, Jonsson not only fails to disclose that "said signal emanates from a portable, electronic device" as the Examiner has suggested, but Jonsson actually teaches away from this configuration. According to Jonsson, the registration devices transmit a signal to any mobile phone entering within range to receive the signal.

As also discussed above, the addition of the Waites reference does nothing to cure the basic deficiency of the Jonsson reference discussed above. Consequently, Applicants respectfully submit that neither the Jonsson reference, the Waites reference, or any combination of the Jonsson reference, and the Waites reference discloses, teaches, or suggests "**said signal emanates from a portable, electronic device**" as the Examiner has stated.

The addition of the Harter et al reference does nothing to cure the basic deficiency of the Jonsson and the Waites references discussed above. Consequently, Applicants respectfully submit that neither the Jonsson reference, the Waites reference, the Harter et al reference, or any combination of the Jonsson reference, the Waites reference and the Harter et al reference, discloses, teaches, or suggests "**said signal emanates from a portable, electronic device**" as the Examiner has stated.

Claims 34 to 48 depend, directly or indirectly on Claim 33. Consequently, Claims 34 to 48 include all of the features and limitations of Claim 33. Therefore, in light of the discussion above, Applicants respectfully request the Examiner withdraw the rejection of Claims 35, 37, 42, 47 and 48.

CONCLUSION

Appl. No. 09/737,193

Amdt. dated February 3, 2005

Reply to Office Action of September 29, 2004

For the foregoing reasons, Applicants respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicants.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 3, 2005.



Attorney for Applicant(s)

February 3, 2005
Date of Signature

Respectfully submitted,



Philip J. McKay
Attorney for Applicants
Reg. No. 38,966
Tel.: (831) 655-0880